

PREFACE

The necessity to introduce legislation to control the contract of letting arose after the First World War. Due to the large scale migration into the cities and scarcity of accommodation, the landlord started demanding higher and unreasonable rent. In Jammu and Kashmir also, Pakistani infiltration in 1947 and the conflicts with them in 1965 led to large scale influx of the rural population in the urban areas. In order to prevent the unreasonable eviction and control rent, the Legislature of Jammu and Kashmir after various earlier efforts, in the year 1966 enacted the Jammu and Kashmir Houses and Shops Rent Control Act, 1966. The preamble of the Act clearly indicates that the legislation was enacted to remedy the two big evils namely Demand of the Fanciful and vexatious rent by the landlord and the indiscriminate eviction on whimsical or flimsy grounds.

A fairly good amount of knowledge with respect to rent control legislation is necessary for lawyers dealing with rent control legislation. In the course of my very short legal practice of about fifteen years, I have felt the need for a standard book on rent control legislation of Jammu and Kashmir. Therefore through this book I have made an attempt to explain the Rent Control Legislation of Jammu and Kashmir. This book has been written in simple English language and in the commentary form. Comprehensive treatment of the subject has been given with the help of examples and illustrations wherever felt necessary. The subject matter of the book has been arranged chapter-wise in accordance with the Jammu and Kashmir Houses and Shops Rent Control Act, 1966. Comments to the sections of the Statute have been given detailing the importance of the subject matter. An attempt has also been made to include the various cases decided on the subject by Supreme Court of India, various High Courts of the country including the State of J&K and decisions of English Courts including Privy Council. An attempt has also been made to include the recent decisions on the subject.

It is believed that the book shall prove useful not only to Lawyers and Judges but also to Law Students and Law researchers. Care has been taken that an average student of law or even a layman would have no difficulty in following the subject.

I will gratefully welcome suggestions which the readers of the book may deem necessary to make for the improvement of the book.

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